

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- against -

JEFFREY STEIN, JOHN LANNING, RICHARD
SMITH, JEFFREY EISCHEID, PHILIP WIESNER,
JOHN LARSON, ROBERT PFAFF, DAVID AMIR
MAKOV, LARRY DELAP, STEVEN GREMMINGER,
RAYMOND J. RUBLE, also known as "R.J. Ruble,"
GREGG RITCHIE, RANDY BICKHAM, MARK
WATSON, CAROL WARLEY, DAVID RIVKIN, CARL
HASTING, RICHARD ROSENTHAL, and DAVID
GREENBERG,

Defendants.

S1 05 Crim. 0888 (LAK)

Judge Lewis A. Kaplan

NOTICE OF MOTION

PLEASE TAKE NOTICE THAT, upon the accompanying *Defendant John Lanning's Memorandum of Law in Support of His Motion to Dismiss the Indictment or, in the Alternative, for Severance, to Strike, for Particulars and to Require the Preservation of Government Agents' Notes*, the Declaration of Robert H. Hotz, Jr., and any prior submissions and proceedings in this matter, and any other submissions as shall be made in support of this motion, Defendant John Lanning, by and through his undersigned counsel, will move this Court before the Honorable Lewis A. Kaplan, United States District Judge, in the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York at such time as shall be heard by the Court, for an Order dismissing the Indictment or, in the alternative, granting severance, striking certain portions of the Indictment, for particulars, and to require the preservation of government agents' notes, and such other and further relief as the Court may deem just and proper. Defendant John

Lanning also joins in the joint motions submitted on behalf of certain defendants and the individual motions of his co-defendants to the extent they apply to John Lanning.

Dated: New York, New York
January 12, 2006

Respectfully submitted,

AKIN GUMP STRAUSS HAUER & FELD LLP

By: /s/ Michael J. Madigan
Michael J. Madigan (pro hac vice)
Robert H. Hotz, Jr. (RH 4456)
Christopher T. Schulten (CS 7320)
590 Madison Avenue
New York, New York 10022
(212) 872-1000

Attorneys for Defendant John Lanning